



United States District Court
Southern District of New York

1:07-cr-00757-RJS

United States of America,
Plaintiff

- against -

Timothy Archer,
Defendant

**MOTION TO DETERMINE
ELIGIBILITY FOR COURT
APPOINTED COUNSEL
PURSUANT TO CRIMINAL
JUSTICE ACT**

Defendant respectfully moves the court to determine that he is eligible for representation pursuant to the Criminal Justice Act for purposes of appeal.

Dated: March 20, 2008
New York, New York

MEMORANDUM

Defendant was sentenced by this court on March 5, 2008, to 66 months imprisonment; judgment on the sentence was entered March 14, 2008.

Undersigned counsel was retained by defendant. As a result of legal and travel expenses incurred by defendant to date, defendant is now without sufficient funds to retain further legal services for purposes of appeal.

Defendant is currently held at the Brooklyn Detention Center. The undersigned has requested the legal department at that facility to have defendant fill out and execute a CJ23 form and to forward it to the court.

In the interim, a notice of appeal will be filed by the undersigned

Respectfully submitted,

/s/ Thomas P. Kurt

Thomas P. Kurt
Attorney at Law
610 Adams St.
Toledo, Ohio 43604
ph: (419) 241-5506
fax: (419) 243-4920

SO ORDERED
Clerk

RICHARD J. GORMAN
U.S.D.J.
4/14/08